

Training Administrations to Manage the Internal Market: The Karolus Programme

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The important date set for the entering into operation of the internal market, i.e. 1 January this year, also marks the date for the entering into force of an EC Action Plan called the Karolus Programme'. EIPA is pleased to be involved in the running of this Programme which was established by a Decision of the Council of the European Communities on 22 September 1992 and has the objective of contributing to the effective functioning of the newly completed internal market.

The Karolus Programme is a Community training scheme which aims to achieve its objective by means of organizing, over a period of five years, exchanges between the 12 Member State administrations of 1900 national officials who are engaged in the implementation of internal market legislation. The Programme also envisages seminars for the exchange participants, which are held at EIPA's headquarters in Maastricht before and after the exchange period and deal with the EC's functioning and activities, and make analyses of the exchange experiences respectively.

The worthwhile nature of this training formula is supported by the successful experience of the Programme's pilot phase, which was run in two stages over a period of two years, commencing in November 1990. The initiative emerged as a result of the Commission's determination to step up efforts towards ensuring that internal market Directives were incorporated into the law of the Member States in a correct and timely manner.

The Commission was aware that the task of incorporating these Directives would entail significant and complex changes in the legislations and administrative practices and procedures of the Member States. As facilitator of this process, it recognized the role that cooperation between the different Member State administrations would play and the possibility of boosting this administrative cooperation by seconding officials to other Member State administrations and, conversely, by administrations hosting foreign colleagues.

The pilot phase, due to budgetary constraints, could not embrace a large number of participants but, despite its reduced scale, the results obtained were highly positive and very far-reaching.

From an organizational point of view, it demonstrated the feasibility of such a scheme. Applications were submitted to the internal market Directorate-General of the Commission, which passed them onto EIPA, which in turn contacted the selected candidates and administrations where the placement was being sought. The contact points in the Member States performed very satisfactorily as links between EIPA and the departments within their administrations better suited to the profile and professional interests of the participants.

The content of the exchange itself was excellent. The host departments cooperated enthusiastically, doing their utmost to see to it that the participant profited to the maximum from their stay with them, by offering them assistance, explaining their organization and activities to them, arranging for them to accompany officials in the performance of their tasks, making time for discussion, and arranging working activities, such as interviews, appointments and visits to many different bodies and organizations related to the participants' field of interest, and attendance at conferences or seminars.

This cooperation was an excellent guarantee for ensuring not only the future feasibility of placements but also the successful exchange of knowledge, experience and points of view between the officials. This mutual exchange of views between hosts and participants has been

strongly stressed by all participants as the most valuable aspect of their exchange experience. It provides a great deal of technical and practical knowledge and information, plus comparative impressions of different approaches to the same issue and new ideas to be applied at home, all of which flow in both directions, thus also benefiting the host administration.

As evidenced by the participants' testimonies, an exchange offers the opportunity to see at first hand how colleagues in other Member States cope with the same piece of EC legislation as that being dealt with in the home administration. It is a matter of natural curiosity to wish to know whether one's counterparts in other Member States carry out this job in the same way or differently, whether it is executed with the same level of quality, whether they encounter the same or different difficulties, and to understand to which specific factors these difficulties are attributed and how they are overcome.

The exchange also implies that participants become immersed in the organization of the host administration and hence in a different administrative culture. This allows them to acquire a better understanding of others and discover that existing *clichés* are only true to a limited extent or not at all.

Meeting foreign counterparts and seeing the way in which they work is the best way to increase confidence between Member States. In the same words as the participants, you need to know the persons involved in order to trust them and, therefore, the exchange provides better grounds for relying on the performances of others than certificates of conformity.

Of paramount importance was the observation that although certain issues were tackled in a different way than in the participants' countries and the national arrangements made for the same Community legislation provision sometimes varied, the results were comparable. Verifying this fact in practice can contribute enormously to the proper functioning of a system, such as the one built for the operation of the internal market, whereby considerable importance is laid on mutual trust and confidence in the work of the other Member States. It will also contribute to officials being more receptive to the way in which legislation is implemented in other countries and will banish the tendency to believe that if something is done differently to how one would do it oneself, the same advantageous results cannot be attained.

Administrative cooperation, a key element for a real internal market to function effectively, is boosted as the cooperation initiated during the exchange period will continue in the future through the new communication channels opened up by the personal contacts made.

Having gained this experience from the experimental exchanges, Karolus was launched on the same date as that on which the internal market entered into operation. This coincidence is not without importance.

Having adopted almost all the 282 measures envisaged by the White Paper on the completion of an area without internal frontiers (95% as of July), the emphasis in this area has shifted towards ensuring that the system put in place actually works. Pending legislative measures and those necessary to polish imperfections will still have to be enacted, but the priority will be to ensure that the existing internal market rules are fully implemented, rather than to develop legislative activity. This is an essential task but not an easy one, as the timely and effective implementation of EC legislation in the Member States has always posed problems.

Although currently (i.e. as of July), in the internal market area, Member States have taken 84% of the incorporation measures required, half the Directives have not yet been incorporated in all the Member States. Furthermore, the risk of divergencies as regards the content, application and especially control of these measures, which are entrusted to a multiplicity of bodies of a decentralized nature in many cases, could lead to a fatal refragmentation of the market.

Decisive action is needed to reassure and demonstrate to businesses, consumers and administrations that the rules of the single market are being applied and have equivalent effect across the 12 Member States, if the future of the success story, i.e. the production of the necessary legislation for the achievement of a single market, is not to be jeopardized.

When examining the possible action to be taken to formulate an effective strategy ensuring the harmonious operation of the internal market, e.g. the Sutherland Report on the functioning of the single market, it is evident that generating greater mutual confidence at all operational levels is essential and increased cooperation between Member State administrations contributes enormously to this objective.

This will inevitably require an effort on the part of all administrations in the Member States to bring their structures into line with the new situation: assimilating the new rules governing their fields of activity, developing their technical capacities accordingly, availing themselves of the necessary infrastructure to apply these rules and control their compliance, and establishing the necessary mechanisms for cooperation with other administrations for the proper management of common rules throughout the 12 Member States. In a Community which has abolished checks at its internal borders, rapid and close cooperation channels between administrations in the different Member States constitute an indispensable element for the effective control of the market.

It is against this background that greater significance is being given to training initiatives, such as that of Karolus, a single programme offered to the officials of the twelve Member States and especially well adapted to the training needs emerging from the completion of the unified market.

By means of an exercise of an eminently practical nature based on a learning-by-seeing-and-doing approach, the exchange provides a privileged setting, by the placement of officials in foreign counterpart administrations, for the exchange of technical and scientific knowledge in the relevant area of expertise. It also allows discussion on the most efficient ways of implementing internal market legislation, thus building up mutual trust and promoting an awareness in the officials of the Community dimensions of their daily work.

This is even more useful in a situation where those carrying out application and control tasks are officials who are often located in decentralized departments, which in most cases are different from those departments regularly involved in EC affairs and dealing with EC institutions. An exchange period in another Member State administration is an ideal way of providing these officials with some European experience and with a practical realization that their daily work of administering rules of EC origin is Community-wide and goes beyond the strictly domestic sphere.

This practical experience will be backed up with training of a more traditional nature in the form of 2 seminars taking place before and after the exchange. The first one responds to the perceived need for enforcement officials to become more acquainted with EC issues, as they may be specialists in their field of activity but lack an overall picture of EC issues and of the actual process of implementation which they need to grasp the full meaning of the piece of internal market legislation concerned. In this context, training sessions on the Communities' foundations, functioning, activities and most recent developments can contribute to filling this gap and putting the participants' work into perspective.

The second seminar will enable participants to meet and share information gathered and findings made during their exchange periods. This will enhance their own frame of reference, otherwise limited to just two Member States, i.e. their own and the one they visited, and provide a forum to discuss the administrative resources necessary for the efficient

implementation of EC rules and enable them to build up a larger network of contacts between colleagues working in the same field.

Last but not least, the exchange experiences should be spread further afield. To this end, written testimonies of the exchange officials' observations and findings are made, in which individual reports are drawn up on the basis of questionnaires containing various points, referring to implementation and administrative issues, to which they should pay attention during their stay abroad. These reports, available to origin and host administrations, will be analyzed by EIPA services and incorporated in the annual reports for the Commission and Member States containing the information which is relevant to follow up the implementation of internal market rules.

Karolus is a very worthwhile training instrument in that it not only increases technical knowledge, it also introduces the European dimension into the daily work of administrations, brings officials closer to the administration realities of the Member States and opens channels for administrative cooperation and mutual trust. This instrument is made available to the Member State administrations for them to enhance their work towards adapting their administrative structures and training their personnel in accordance with the new demands made by the single market.

With respect to operational matters, various special arrangements have been made to ensure that the Karolus Programme runs smoothly. A particular arrangement worth highlighting is the network of national coordination services (national coordinators) appointed by each Member State to coordinate participation. These have the task of channelling requests and applications for placement in their country and ensuring that all relevant departments of their administrations are informed of the programme (see page 7 for list of coordinators).

Participation is subject to involvement in the implementation of internal market rules in certain areas selected every year (e.g. the areas selected for 1993 are pharmaceutical products, public procurement, export controls on certain dual-use products and technologies, conformity testing and market supervision, foodstuffs, plant health, banks, insurance companies, stock exchanges and institutions for collective investment in securities and road transport; those selected for 1994 will be known shortly), sufficient knowledge of the language of the host Member State (for certain Member States, English may suffice) and commitment on the part of the administration sending the official to finance 50% of the subsistence costs for the exchange (the other 50% plus travelling and all expenses for seminar participation are covered by the Commission of the EC).

As expected, the commencement of Karolus has been slow. It takes time to get the machinery moving; the necessary informative documents had first to be made available to the national coordinators, who then distributed them throughout their ministries, which in turn had to examine the feasibility of fitting an exchange period into their already tight work schedules, and had to comply with procedural formalities both as regards the national administrations and the programme. In addition, a minimum of 2 months is needed between the Commission's approval of the application and the date on which the exchange can actually start.

Nevertheless, it is also expected that once the information has been circulating for a longer period of time and the administrations have been able to plan the exchanges of their officials, the number of candidates will meet the participation objectives set. The number of applications received has indeed increased, notably since the spring, with the result that 90 officials have already registered and many of them will have completed their exchanges before the end of the year. There is little doubt that, as is already happening, their testimony and that of future exchange participants will give rise to their home and host colleagues following suit in a scheme that will increase the cooperation between Member State administrations that is required for the effective management of the single market.

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